

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b>	
	:		
<b>v.</b>	:	<b>DATE FILED:</b>	
	:		
<b>GUILLERMO A. MARTINEZ</b>	:	<b>VIOLATION:</b>	<b>18 U.S.C. § 1029(a)(2) (Access</b>
<b>a/k/a “Marty”</b>	:		<b>device fraud - 1 Count)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this Indictment:

1. Defendant GUILLERMO A. MARTINEZ, also known as “Marty,” was employed as a financial analyst by Hospicomm, Inc., a company that manages approximately 15 nursing homes and out-patient health care facilities in the Philadelphia area with a corporate headquarters located at 41 North 3<sup>rd</sup> Street in Philadelphia.

2. One of the nursing home and out-patient facilities managed by Hospicomm, Inc. was Hamilton Center for Continuing Care (“HCCC”) in Hamilton, New Jersey.

3. In his capacity as an employee of Hospicomm, Inc., defendant GUILLERMO A. MARTINEZ had authority to transfer funds between various HCCC bank accounts at Fleet Bank in order to, among other things, ensure that there were sufficient funds in HCCC’s payroll account to pay its employees in a timely fashion.

4. In or about June or July, 2002, without the knowledge, approval and authorization of his employer, Hospicomm, Inc., and HCCC, defendant GUILLERMO A. MARTINEZ obtained a debit card issued by Fleet Bank that was linked to HCCC’s Fleet Bank

accounts and which contained an account number that allowed defendant MARTINEZ to make withdrawals and purchases from HCCC's funds at Fleet Bank.

5. Between on or about July 15, 2002 and on or about May 13, 2003, defendant GUILLERMO A. MARTINEZ used the Fleet Bank debit card to make more than 400 unauthorized cash withdrawals and purchases totaling approximately \$150,000, including a trip to Miami with two entertainers from a Philadelphia nightclub known as "Cheerleaders."

6. From on or about July 15, 2002 to on or about May 13, 2003, in the Eastern District of Pennsylvania and elsewhere, defendant

**GUILLERMO A. MARTINEZ**  
**a/k/a "Marty"**

knowingly and with intent to defraud used an unauthorized access device, that is, a debit card issued by Fleet Bank on the bank accounts of Hamilton Continuing Care Center, to obtain cash and other things of value during a one-year period aggregating \$1,000 or more, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Section 1029(a)(2).

A TRUE BILL:

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FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney